

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

16 2006

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

v.)

PRESTON GRICE)
and COREY HARVEY)

CR. NO. 2:06CR271-WKW

[21 USC 846;
21 USC 841(a)(1);
18 USC 924(c)(1)(A)]

INDICTMENT

The Grand Jury charges:

COUNT 1

That from an unknown date, and continuing thereafter up to November 1, 2005, the exact dates being unknown to the Grand Jury, in Montgomery County, within the Middle District of Alabama, and elsewhere, defendants

PRESTON GRICE
and COREY HARVEY

did knowingly and intentionally conspire, combine and agree together and with persons known and unknown to the Grand Jury, to distribute and possess with intent to distribute more than 50 grams of cocaine base, a Schedule II Controlled Substance, more than 30 kilograms of marijuana, a Schedule I Controlled Substance, and a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1). All in violation of Title 18 United States Code, Section 846.

COUNT 2

That from an unknown date, and continuing thereafter up to November 1, 2005, the exact dates being unknown to the Grand Jury, in Montgomery County, within the Middle District of Alabama, and elsewhere, defendants

PRESTON GRICE
and COREY HARVEY

did knowingly and intentionally distribute and possess with intent to distribute more than 50 grams of cocaine base, a Schedule II Controlled Substance, more than 30 kilograms of marijuana, a Schedule I Controlled Substance, and a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 3

That on or about November 1, 2005, in Montgomery County, within the Middle District of Alabama, and elsewhere, defendants

PRESTON GRICE
and COREY HARVEY

did knowingly use, carry, and possess firearms, namely, a HI-POINT, Model C9, 9mm, semi-automatic pistol, serial number P134645, and ammunition; a Remington, 12 gauge Model 870 shotgun, serial number A296322M; a Remington Woodmaster, Model 742, 6mm rifle, serial number 340439 and ammunition; a Savage Arms, 12 gauge, Stevens Model 94, shotgun, serial number P687773, an AT4 Military Assault weapon; and ammunition, during and in relation to, and in furtherance of, a drug trafficking crime for which they may be prosecuted in a court of the United States, to-wit: conspiracy to distribute and possess with intent to distribute as set out and incorporated herein by reference from Count 1 of the Indictment, and distribute and possess with intent to distribute as set out and incorporated herein by reference from Count 2 of the Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATION

A. Counts 1, 2 & 3 of this indictment are hereby repeated and incorporated herein by

reference.

B. Upon conviction for the violation alleged in Count 3 of this indictment, the defendant,

PRESTON GRICE
and COREY HARVEY

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

HI-POINT, Model C9, 9mm, semi-automatic pistol, serial number P134645 and ammunition; a Remington, 12 gauge Model 870 shotgun, serial number A296322M; a Remington Woodmaster, Model 742, 6mm rifle, serial number 340439 and ammunition; a Savage Arms, 12 gauge, Stevens Model 94, shotgun, serial number P687773; and an AT4 Military Assault weapon and ammunition.


C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

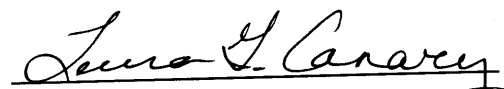
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without

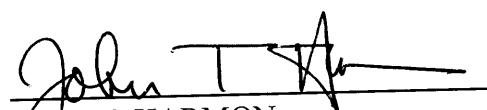
difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in the above paragraphs.

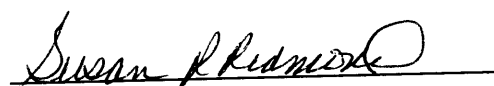
All in violation of Title 18, United States Code, Section 924.

A TRUE BILL:


Foreperson


LEURA G. CANARY
UNITED STATES ATTORNEY


JOHN T. HARMON
Assistant United States Attorney


SUSAN R. REDMOND
Assistant United States Attorney